

Appl. No. 10/619,978
Amendment dated May 23, 2005
Reply to Office Action of March 4, 2005

REMARKS/ARGUMENTS

Claim 22 has been amended. Claims 16-18 and 21-22 now remain in the case.

A) Priority

The Office Action, on page 2, states that for priority under 35 U.S.C. 120, 121, or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of the applications. The PTO further states that this should appear as the first sentence of the specification of the specification following the title, preferably as a separate paragraph, unless it appears in an application data sheet.

In response to this, Applicants have amended page 1 of their application, after the subheading:

CROSS-REFERENCE TO RELATED APPLICATIONS

to add the following new paragraph:

This application is a continuation of U.S. Patent Application Serial No. 09/898,194 filed July 2, 2001, now U.S. Patent No. 6,673,721 B1, issued January 6, 2004.

B) Claim Objections

Claim 22 was objected to in the Office Action because of informalities in the claim. The PTO points out that claim 22 is two pages long and the last part seems to be a duplicate of claim 21. Claim 22 has been amended to strike the last part of claim 21. This was an obvious typographical error which

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apparently occurred during the movement, in a computer, of blocked portions in the memory portion of the computer. Claim 22 has been amended to remove the duplicate text.

C) Double Patenting

Claims 16-18, 21, and 22 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 3, 7, and 14 of U.S. Patent No. 6,673,721. The Office Action stated, "Although the conflicting claims are not identical, they are not patentably distinct from each other because: Claims 1, 2, 3, 7, and 14 of U.S. Patent No. 6,673,721 substantially teach the instant claims 16-21, and 22."

Accompanying this response is an executed Terminal Disclaimer establishes the common ownership of US Patent 6,673,721 and the present pending application. The Terminal Disclaimer further disclaims any portion of the term of a patent which may be granted from this application which extends beyond the expiration date of parent US Patent 6,673,721. This Terminal Disclaimer should effectively remove US Patent 6,673,721 as a reference against Applicants' instant claims.

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D. SUMMARY,

Thus, in view of Applicants' prior arguments for patentability of their claims 16-18 and 21-22, which are found on page 13 of their Preliminary Amendment dated July 14, 2003, which was filed with this continuation application, all of Applicants' now pending claims should be patentable over the cited art. If the Examiner in charge of this case feels that there are any remaining unresolved issues in this case, the Examiner is urged to call the undersigned attorney at the below listed telephone number which is in the Pacific Coast Time Zone.

Respectfully submitted,



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